



5/IPS 2837  
Shirasa  
9-25-01

PATENT  
Atty. Docket No. 70102

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: James J. Fitzgibbon )  
Paul E. Wanis )  
Colin B. Willmott )  
Appln. No. 09/693,141 )  
Filed: October 20, 2000 )  
Title: MOVABLE BARRIER )  
OPERATOR )  
Group Art )  
Unit: 2837 )  
Examiner: Bentsu Ro )

CERTIFICATE OF MAILING

I hereby certify that this paper is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, on this date.

09/17/01  
Date

*Kenneth H. Samples*  
Kenneth H. Samples  
Registration No. 25,747  
Attorney for Applicants

Commissioner of Patents and Trademarks  
Attn: Assistant Commissioner for Patents  
Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to the duty of disclosure under 37 C.F.R. § 1.56, and in accordance with MPEP §609 and 37 C.F.R. §§1.97 and 1.98, the applicant and the undersigned attorney wish to bring the following information to the Examiner's attention in connection with the examination of the above-captioned application.

Applicants note that this Statement is being submitted after the mailing of a first office action, and include a check in the amount of one hundred eighty dollars (\$180.00) to cover the fee set forth in 37 C.F.R. §1.97(c)(2).

| U.S. PATENT DOCUMENTS |            |             |               |
|-----------------------|------------|-------------|---------------|
|                       | Patent No. | Inventor(s) | Issue Date    |
| 1.                    | 2,268,133  | Carlson     | Dec. 30, 1941 |
| 2.                    | 3,147,001  | Purdy       | Sep. 01, 1964 |

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| U.S. PATENT DOCUMENTS |                   |                    |                   |
|-----------------------|-------------------|--------------------|-------------------|
|                       | <u>Patent No.</u> | <u>Inventor(s)</u> | <u>Issue Date</u> |
| 3.                    | 3,262,105         | Bell               | Jul. 19, 1966     |
| 4.                    | 3,654,480         | Stephenson         | Apr. 04, 1972     |
| 5.                    | 4,064,404         | Willmott et al.    | Dec. 20, 1977     |
| 6.                    | 4,234,833         | Barrett            | Nov. 18, 1980     |
| 7.                    | 4,263,536         | Lee et al.         | Apr. 21, 1981     |
| 8.                    | 4,348,625         | Sharp              | Sep. 07, 1982     |
| 9.                    | 4,365,250         | Matsuoka et al.    | Dec. 21, 1982     |
| 10.                   | 4,369,399         | Lee et al.         | Jan. 18, 1983     |
| 11.                   | 4,467,249         | Swearingen, Jr.    | Aug. 21, 1984     |
| 12.                   | 4,565,029         | Kornbrekke et al.  | Jan. 21, 1986     |
| 13.                   | 4,567,411         | Reimann et al.     | Jan. 28, 1986     |
| 14.                   | 4,597,428         | Iha                | Jul. 01, 1986     |
| 15.                   | 4,625,291         | Hormann            | Nov. 25, 1986     |
| 16.                   | 4,638,433         | Schindler          | Jan. 20, 1987     |
| 17.                   | 4,673,848         | Hagiwara et al.    | Jun. 16, 1987     |
| 18.                   | 4,726,247         | Hormann            | Feb. 23, 1988     |
| 19.                   | 4,727,679         | Kornbrekke et al.  | Mar. 01, 1988     |
| 20.                   | 4,775,823         | Yoshida et al.     | Oct. 04, 1988     |
| 21.                   | 4,868,409         | Tanaka et al.      | Sep. 19, 1989     |
| 22.                   | 4,888,531         | Hörmann            | Dec. 19, 1989     |
| 23.                   | 4,916,860         | Richmond et al.    | Apr. 17, 1990     |
| 24.                   | 4,922,168         | Waggamon et al.    | May 01, 1990      |
| 25.                   | 4,952,080         | Boiucaner et al.   | Aug. 28, 1990     |
| 26.                   | 5,076,012         | Richmond et al.    | Dec. 31, 1991     |
| 27.                   | 5,136,809         | Richmond et al.    | Aug. 11, 1992     |

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| 28.                   | 5,137,500         | Lhotak             | Aug. 11, 1992     |
| 29.                   | 5,189,412         | Mehta et al.       | Feb. 23, 1993     |
| 30.                   | 5,226,257         | Moss               | Jul. 13, 1993     |
| 31.                   | 5,233,185         | Whitaker           | Aug. 03, 1993     |
| 32.                   | 5,235,494         | Chang et al.       | Aug. 10, 1993     |
| 33.                   | 5,241,873         | Hörmann            | Sep. 07, 1993     |
| 34.                   | 5,278,480         | Murray             | Jan. 11, 1994     |
| 35.                   | 5,282,337         | Duhame et al.      | Feb. 01, 1994     |
| 36.                   | 5,357,183         | Lin                | Oct. 18, 1994     |
| 37.                   | 5,412,297         | Clark et al.       | May 02, 1995      |
| 38.                   | 5,470,185         | Tsubota et al.     | Nov. 28, 1995     |
| 39.                   | 5,576,701         | Heitschel et al.   | Nov. 19, 1996     |
| 40.                   | 5,589,747         | Utke               | Dec. 31, 1996     |
| 41.                   | 5,596,840         | Teich              | Jan. 28, 1997     |
| 42.                   | 5,625,980         | Teich et al.       | May 06, 1997      |
| 43.                   | 5,656,900         | Michel et al.      | Aug. 12, 1997     |
| 44.                   | 5,661,804         | Dykema et al.      | Aug. 26, 1997     |
| 45.                   | 5,699,055         | Dykema et al.      | Dec. 16, 1997     |
| 46.                   | 5,774,065         | Mabuchi et al.     | Jun. 30, 1998     |
| 47.                   | 5,793,300         | Suman et al.       | Aug. 11, 1998     |
| 48.                   | 5,903,226         | Suman et al.       | May 11, 1999      |
| 49.                   | 5,929,580         | Mullet et al.      | Jul. 27, 1999     |
| 50.                   | 6,091,217         | Parsadayan         | Jul. 18, 2000     |
| 51.                   | 6,172,475 B1      | Fitzgibbon et al.  | Jan. 09, 2001     |
| 52.                   | 6,229,276 B1      | Fitzgibbon et al.  | May 08, 2001      |

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|                       | <u>Patent No.</u> | <u>Inventor(s)</u> | <u>Issue Date</u> |
| 53.                   | 6,239,569 B1      | Fitzgibbon et al.  | May 29, 2001      |
| 54.                   | 6,246,196 B1      | Fitzgibbon et al.  | Jun. 12, 2001     |
| 55.                   | 6,278,249 B1      | Fitzgibbon et al.  | Aug. 21, 2001     |

| FOREIGN PATENT DOCUMENTS |                   |                  |                |
|--------------------------|-------------------|------------------|----------------|
|                          | <u>Patent No.</u> | <u>Published</u> | <u>Country</u> |
| 56.                      | DE 297 06 251 U1  | Oct. 02, 1997    | GERMANY        |
| 57.                      | EP 0 280 854      | Sep. 07, 1988    | EPO            |
| 58.                      | EP 0 544 262      | Jun. 02, 1993    | EPO            |
| 59.                      | EP 0 767 288      | Apr. 09, 1997    | EPO            |
| 60.                      | EP 0 771 923      | May 05, 1997     | EPO            |
| 61.                      | EP 0 786 848      | Jul. 30, 1997    | EPO            |
| 62.                      | GB 2 122 382 A    | Jan. 11, 1984    | GREAT BRITAIN  |
| 63.                      | GB 2 245 389 A    | Jan. 02, 1992    | GREAT BRITAIN  |
| 64.                      | WO 90/10776       | Sep. 20, 1990    | PCT            |

The items mentioned above are listed on the PTO-1449 Form accompanying this Information Disclosure Statement (IDS). Copies of each reference are enclosed herewith. Applicants note that the purpose for filing this IDS is to cite in the instant application all the references cited in: (1) parent application no. 09/161,840 filed June 5, 2000, now issued U.S. Patent No. 6,172,475; (2) related divisional application nos. 09/536,832 filed March 27, 2000, now issued U.S. Patent No. 6,229,276; 09/536,055 filed March 27, 2000, now issued U.S. Patent No. 6,246,196; 09/535,221 filed March 27, 2000, now U.S. Patent No.

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6,278,249; 09/536,833 filed March 27, 2000, now issued U.S. Patent No. 6,239,569; and 09/536,428 filed March 27, 2000; and (3) the related continuation applications of these divisional applications, including application nos. 09/804,407 filed March 12, 2001; 09/804,411 filed March 12, 2001; 09/840,601 filed April 23, 2001; and 09/785,619 filed February 16, 2001.

English abstracts are attached to each of the foreign patents listed, and are submitted as an explanation of relevance for each foreign reference.

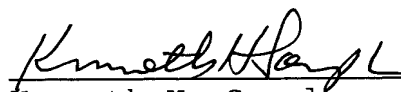
Applicants further note that the specification of U.S. Patent No. 6,239,569 (the '569 patent) is substantially identical to the specification of the instant application and related U.S. Patent Nos. 6,278,249; 6,246,196; 6,229,276; and 6,172,475. Therefore, Applicants are submitting one copy of the '569 patent rather than submitting copies of each of these patents due to the size and cumulative nature of each reference in accordance with 37 C.F.R. §1.98(c).

Pursuant to 37 C.F.R. §1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

The Commissioner is hereby authorized to charge any additional fees which may be required with respect to this communication or credit any overpayment to Deposit Account No. 06-1135.

Respectfully submitted,  
FITCH, EVEN, TABIN & FLANNERY

Dated: September 17, 2001

  
Kenneth H. Samples  
Reg. No. 25,747

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A Docket No. 70102

120 South LaSalle St., Suite, 1600  
Chicago, Illinois 60603-3406  
Telephone: (312) 577-7000  
Facsimile: (312) 577-7007  
KHS/EEC/263066